

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

HAYWARD INDUSTRIES, INC.,

Plaintiff,

v.

Civil Action No. 3:20-cv-00710-MOC-SCR

BLUEWORKS CORPORATION,  
BLUEWORKS INNOVATION  
CORPORATION, NINGBO C.F.  
ELECTRONIC TECH CO., LTD.;  
NINGBO YISHANG IMPORT AND  
EXPORT CO., LTD.,

Defendants.

**DEFENDANTS' LIMITED OBJECTIONS TO DEPOSITION TESTIMONY OF  
WITNESSES MIKUSKI AND IVESTER**

Pursuant to the Court's request, Defendants' submit the following objections to the deposition testimony of Shawn Mikuski (filed at ECF 316 and Steven Ivester (filed at ECF 314). Plaintiff intends to present the deposition testimony of these witnesses at trial in this case. Defendants understand that Plaintiff will be filing narrowed versions of these deposition designations, but the testimony is, of course, the same.

For Mr. Mikuski's deposition, Defendants' object to the testimony at page 35, line 22 through page 36, line 15. This testimony relates to Mr. Chen's language skills, which is irrelevant to the legal issues in this case and prejudicial to Defendants.

For Mr. Ivester's deposition, Defendants object to the testimony at pages 21, line 30 through p. 30, line 4, which discuss an email that was neither introduced as an exhibit nor identified by Bates number (or otherwise) at the deposition. Accordingly the testimony lacks foundation,

and includes hearsay to the extent that it discusses what others said in the unidentified document, and confusing to the jury.

Defendants also object to the testimony designated at pages 50, line 24 through page 52, line 16, which refer to a different product—not a salt cell—than that at issue in this case. Accordingly the testimony is irrelevant and prejudicial, and confusing to the jury.

Dated: February 23, 2024

Respectfully submitted,

Christina Davidson Trimmer

Jennifer Seraphine (*pro hac vice admitted*)

Keeley Vega (*pro hac vice admitted*)

Jacob Zweig (*pro hac vice admitted*)

Turner Boyd Seraphine LLP

155 Bovet Road, Suite 750

San Mateo, California 94402

Tel: (650) 521-5930

Fax: (650) 521-5931

Email: seraphine@turnerboyd.com

Email: vega@turnerboyd.com

Email: zweig@turnerboyd.com

Christina Davidson Trimmer

NC Bar No. 44857

Samuel Alexander Long, Jr.

NC Bar No. 46588

SHUMAKER, LOOP & KENDRICK, LLP

101 South Tryon Street, Suite 2200

Charlotte, North Carolina 28280

Tel: (704) 375-0057

Fax: (704) 332-1197

Email: ctrimmer@shumaker.com

along@shumaker.com

Michelle C. Dunn

Platinum Intellectual Property

3031 Tisch Way, Suite 110 PW

San Jose, CA 95128

Tel: 404-800-5884

Fax: 877-463-0654

Email: michelle.dunn@platinum-ip.com

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 23, 2024, the foregoing document was served on all counsel of record using the Court's CM/ECF system, which will send notification of such filing to any CM/ECF participants.

Respectfully submitted,

/s/ Christina Davidson Trimmer

Christina Davidson Trimmer

NC Bar No. 44857

SHUMAKER, LOOP & KENDRICK, LLP

101 South Tryon Street, Suite 2200

Charlotte, North Carolina 28280

Tel: (704) 375-0057

Fax: (704) 332-1197

Email: ctrimmer@shumaker.com